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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,434	02/10/2000	John S. Lee	510.030US1	3838

21186 7590 08/14/2002

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EXAMINER

CHU, KIM KWOK

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/501,434

Applicant(s)

LEE ET AL.

Examiner

Kim-Kwok CHU

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 2/6/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-13 and 27-31 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 14-17 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Withdrawal of Final Rejection

1. The examiner has withdrawn the rejection of finally rejected claims in order to apply a new ground of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Balsom. (U.S. Patent 5,592,596)) in view of Zejda (U.S. Patent 5,913,652).

Balsom teaches a compact disc processing system very similar to that of the instant invention. For example, Balsom teaches the following means and steps:

(a) as in claim 1, a printer 50 for printing indicia on a first compact disc (Column 6, lines 17-20);

(b) as in claim 1, a recorder 43 for recording information on the first compact disc (column 2, lines 9-12);

(c) as in claim 4, the transporter carriage 45 is movable in both a horizontal and vertical direction (Fig. 1b);

(d) as in claim 5, a plurality of disc trays 46 (Fig. 1b); and

(e) as in claim 5, a selection mechanism to the plurality of disc trays for selectively moving the plurality of disc trays such that the first compact disc can be placed on the selected disc tray for temporary storage (Fig. 1b; column 2, lines 14-22).

However, Balsom does not teach the following:

(a) as in claim 1, a transporter carriage for holding the first compact disc and moving the first compact disc between the recorder and printer;

(b) as in claim 1, the transporter carriage comprises a single horizontally rotatable gripping head having first and second locations each for respectively holding the first and second compact disc simultaneously;

(c) as in claim 1, the first and second compact discs are engaged by the gripping head; and

(d) as in claim 1, the first and second compact discs are held in fixed relative positions while the first and second compact discs are engaged by the gripping head;

(e) as in claim 2, a transporter carriage holds the first and second compact discs using a vacuum; and

(f) as in claim 6, a supply location having a vertically extending rod sized to fit within a central opening provided in the compact disc.

Zejda teaches a conveying system with a transporter carriage having above features. For example, Zejda teaches the following:

(a) a transporter carriage 26 for holding the first compact disc and moving the first compact disc (Fig. 1);

(b) the transporter carriage 26 comprises a single horizontally rotatable gripping head 26 having first and second locations each for respectively holding the first and second compact disc simultaneously (Fig. 1);

(c) the first and second compact discs are engaged by the gripping head 22 (Fig. 2);

(d) the first and second compact discs are held in fixed relative positions while the first and second compact discs are engaged by the gripping head 22 (Fig. 2);

(e) the transporter carriage holds the first and second compact discs using a vacuum (column 4, line 9); and

(f) a supply location 29 having a vertically extending rod sized to fit within a central opening provided in the compact disc (Fig. 2).

A typical disc labeling system requires a disc selecting/loading cycle before the disc can be printed. When

there is a motivation of reducing waiting time for printing a recording medium loading requests, it would have been obvious to one of ordinary skill in the art at the time of invention to use Zejda's gripping head in Balsom's disc printing system, because it will select one medium and load the other medium at the same time similar to the claimed features (a) to (f).

4. Claims 14-17 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Balsom. (U.S. Patent 5,592,596) in view of Zejda (U.S. Patent 5,485,436).

Balsom teaches a compact disc processing system very similar to that of the instant invention. For example, Balsom teaches the following means and steps:

(a) as in claim 14, a printer 50 for printing indicia on a compact disc (Fig. 2);

(b) as in claim 14, a recorder 43 for recording information on the compact disc (Fig. 2);

(c) as in claim 14, a transporter carriage 45 for simultaneously holding a compact disc in a fixed axial relation (Fig. 1b);

(d) as in claim 14, gripping a first compact disc with the transporter carriage 45 (Fig. 1b; gripping means to secure/retrieve a loaded disc is an inherent feature);

(e) as in claim 14, moving the transporter carriage 45 to the recorder and placing the first compact disc in the recorder (Fig. 1);

(f) as in claim 14, moving the transporter carriage 45 to a supply location and gripping a second compact disc with the transporter carriage while the first compact disc is in the recorder (column 2, last line, column 3, lines 1-9);

(g) as in claim 14, removing the first compact disc from the recorder with the transporter carriage 45 (column 2, last line, column 3, lines 1-9);

(h) as in claim 14, placing a second compact disc in the recorder after the first compact disc has been removed (column 2, last line, column 3, lines 1-9);

(i) as in claim 14, moving the transporter carriage 45 to the printer 50 and placing the first compact disc in the printer (column 5, lines 65-67); and

(j) as in claim 17, removing the first compact disc from the printer (inherent feature where a disc needs to be removed to other location after it is being printed).

However, Balsom does not teach the following:

(a) as in claim 14, the transporter simultaneously grips both a first and second compact discs on first and second planes;

(b) as in claim 14, such that the transporter carriage simultaneously grips both the first and second compact discs on first and second planes, respectively;

(c) as in claim 15, the transporter carriage 26 includes a gripping head having first and second grippers for gripping the first and second compact disc;

(d) as in claim 16, the first compact disc is rotated about its axis to a predetermined rotational position prior to placing the first compact disc in the printer;

(e) as in claim 17, selectively extending a tray of a compact disc organizer; and

(f) as in claim 17, placing the first compact disc in the extended tray for subsequent removal by a user.

Zejda teaches a CD conveying system with a transporter carriage having all the above claimed features from (a) to (f). For example, Zejda teaches the following:

(a) as in claim 14, the transporter 26 simultaneously grips both a first and second compact discs on first and second planes (Fig. 2);

(b) as in claim 14, such that the transporter 26 simultaneously grips both the first and second compact discs on first and second planes, respectively (Fig. 2);

(c) as in claim 15, the transporter carriage 26 includes a gripping head 20 having first and second grippers for gripping the first and second compact disc (Fig. 2);

(d) as in claim 16, the first compact disc is rotated about its axis to a predetermined rotational position prior to placing the first compact disc in the printer (Fig. 2);

(e) as in claim 17, selectively extending a tray 27 of a compact disc organizer 14 (Fig. 2; turn table 27 is a tray for finishing product); and

(f) as in claim 17, placing the first compact disc in the extended tray 27 for subsequent removal by a user (Fig. 2).

A typical disc labeling system requires a disc selecting/loading cycle before the disc can be printed. When there is a motivation of reducing waiting time for printing a recording medium loading requests, it would have been obvious to one of ordinary skill in the art at the time of invention to use Zejda's gripping system in Balsom's disc printing system, because it will select one medium and load the other medium at the same time similar to the claimed features (a) to (d).

5. Method claims 18-26 are drawn to the method of using the corresponding apparatus claimed in claim 1. Therefore method claims 18-26 correspond to apparatus claim 1 and are rejected for the same reasons of anticipation (obviousness) as used above.

Allowable Subject Matter

6. Claims 9-13 and 27-31 are allowable over prior art.

7. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

As in claim 7, the prior art of record fails to teach or fairly suggests that the compact disc processing system includes a gripping head includes a motor for selectively rotating the first compact disc about its axis.

As in claims 8, the prior art of record fails to teach or fairly suggests that a compact disc processing system wherein the first and second gripping locations are located on opposite

side of the gripping head and can selectively hold the first and second compact discs.

As in claims 9, 27, 28 and 30, the prior art of record fails to teach or fairly suggests that a compact disc processing system includes a transporter carriage comprising a gripping head that is rotatable about a horizontal axis.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Forget et al. (5,485,436) is pertinent because Forget teaches an optical discs accessing system.

Karlyn et al. (5,165,340) is pertinent because Karlyn teaches a compact discs printing system.

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C.
20231 Or faxed to:

(703) 872-9314 (for formal communications intended for
entry. Or:

(703) 746-6909, (for informal or draft communications,
please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park
II, 2021 Crystal Drive, Arlington. VA., Sixth Floor
(Receptionist).

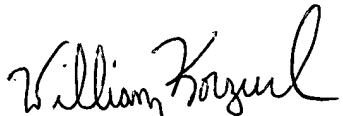
Any inquiry of a general nature or relating to the status
of this application should be directed to the Group
receptionist whose telephone number is (703) 305-4700.

Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Kim CHU
whose telephone number is (703) 305-3032 between 9:30 am to
6:00 pm, Monday to Friday.

ke 8/5/02

Kim-Kwok CHU
Examiner AU2653
August 5, 2002

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